

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MUELLER et al.

) Examiner: Not Yet Assigned

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Serial No.: Not Yet Assigned

) Group Art Unit: Not Yet Assigned

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) Attorney Docket No: 03-006

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Filing Date: February 2, 2004

) CUSTOMER NO.: 22927

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For: DIGITAL ADVERTISING BOARD IN
COMMUNICATION WITH POINT-OF-
SALE TERMINALS

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 02/02/04

By:


Michael D. Brinton

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent

to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

- [] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ Please accept payment of the fees due as indicated below:
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).


[] The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

February 2, 2004
Date


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INFORMATION DISCLOSURE CITATION				Docket Number 03-006		Serial Number Not Yet Assigned	
				Applicants MUELLER et al.			
				Filing Date February 2, 2004		Group Art Unit Not Yet Assigned	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	5,128,862	07/07/92	Mueller	364	405	
	B	5,235,509	08/10/93	Mueller et al.	364	405	
	C	5,353,219	10/04/94	Mueller et al.	364	405	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	D	CH 612024 A5	06/29/79	Switzerland				
	E	EP 0 085 546 A2	08/10/83	Europe				
	F	EP 0 109 189 A1	05/23/84	Europe				
	G	DE 4037689 A	06/04/92	Germany (Abstract)				
	H	EP 512413 A	11/11/92	Europe (Abstract)				
	I	JP 5242363 A	09/21/93	Japan (Abstract)				
	J	JP 5266326 A	10/15/93	Japan (Abstract)				
	K	KR 9502496 B	03/20/95	Korea (Abstract)				
	L	JP 8147545 A	06/07/96	Japan (Japan)				
	M	WO 96/36023 A	11/14/96	PCT (Abstract)				

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		

EXAMINER	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Yes</td> <td style="width: 50%; text-align: center;">No</td> </tr> </table>	Yes	No
Yes	No								
	N	WO 96/36926	11/21/96	PCT					
	O	JP409016836A	01/17/97	Japan					
	P	EP 0 780 788 A2	06/25/97	Europe					
	Q	WO 97/28510	08/07/97	PCT					
	R	WO 97/35441	09/25/97	PCT					
	S	WO 97/46961	12/11/97	PCT					
	T	WO 97/50064	12/31/97	PCT					
	U	EP 0817 138 A1	01/07/98	Europe					
	V	WO 99/11006	03/04/99	PCT					
	W	WO 99/19809	04/22/99	PCT					
	X	WO 99/22328	05/06/99	PCT					
	Y	WO 99/46706	09/16/99	PCT					
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)									
	Z	Brochure: "For the Crew & the Customer; The Best Drive-Thru & Grill Service", Ollveti North America, 2 pp.							
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	AA	Brochure, "Introducing the Digital MenuBoard", Siren Technologies, Inc., (www.sirentech.com).	
	BB	Brochure: "It's in the Bag. Introducing the Universal Holding Cabinet from Welbilt.", Welbilt, 5 pp.	
	CC	Brochure, "Reaching Out In New Directions", First Data Corp., undated.	
	DD	"Universal Holding Cabinet Rollout Program", H & K Dallas Inc., 5 pp.	
	EE	Brochure: "POSitive Input; The McDonald's POS-3 System Newsletter from Olivetti Solutions/OLSY", pp. 1-8.	
	FF	"New Wave Marketing", Promotion Times; An SCA Quarterly Newsletter - First Quarter", 2 pp.	
	GG	"Cape Town", Reuters Ltd, November 8, 1979, PM Cycle.	
	HH	"Save the Mark", Financial Times (London), February 1, 1983, Section: Section I; Men & Matters, pg. 12.	
	II	Cook, Louise, "ConsumerWatch: Clip, Snip, Save", The Associated Press, March 12, 1984, Section: Business News.	
	JJ	"Major Appliances: Tappan unveils microwave oven featuring preprogrammed controls.", HFD, September 10, 1984, pg. 103.	
	KK	Greene, Jan, "Farm bills please assns; National Grocers Association", Supermarket News, December 23, 1985, Section: Vol. 35, pg. 6, ISSN: 0039-5803.	
	LL	"POS spectrum: a lottery looks to POS for growth", UMI, Inc., POS News, January 1989, Vol. 5, No. 7, Pg. 8, ISSN: 0896-6230, CODEN: BHORAD.	
	MM	Kuttner, Robert, "Computers May Turn The World Into One Big Commodities Pit", Business Week, September 11, 1989, Section: Economic Viewpoint, No. 3123 at Pg. 17.	
	NN	Schrage, Michael, "An Experiment In Economic Theory; Labs Testing Real Markets", The Record, November 26, 1989, Section: Business at Pg. B01.	
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	OO	"Let's Play the Cash Register Receipts Lottery", The New York Times, December 25, 1990, Section 1, Pg. 30, Column 4, Editorial Desk.	
	PP	Nakayama, Atsushi, "Coca-Cola machines to be 'smarter'", The Japan Economic Journal, February 23, 1991, Section: Industry: Chemicals, pg. 22.	
	QQ	Del Rosso, Laura, "Marketel says it plans to launch air fare 'auction' in June; Marketel International Inc.", Travel Weekly, April 29, 1991, Section: Vol. 50, No. 34, Pg. 1, ISSN: 0041-2082.	
	RR	"Philips offers customers financing through Citicorp; Philips Medical Systems North America, Citicorp North America Inc." Health Industry Today, June 1991, Section: Vol. 54, No. 6, Pg. 4, ISSN: 0745-4678.	
	SS	Pelline, Jeff, "Travelers Bidding On Airline Tickets SF firm offers chance for cut-rate fares" The San Francisco Chronicle, August 19, 1991, Sections: News at Pg. A4.	
	TT	Antonoff, Michael, "Genetic algorithms: software by natural selection...", Popular Science, October 1991, Vol. 239, No. 4, pg. 70, ISSN: 0161-7370.	
	UU	Del Rosso, Laura, "Ticket-bidding firm closes its doors; Marketel International; Brief Article", Travel Weekly, March 12, 1992, Section: Vol. 51, No. 21, Pg. 1, ISSN: 0041-2082.	
	VV	"Heads I win, tails you lose", The Economist, June 13, 1992, Section: Business, finance and science, Business, pg. 74.	
	WW	"Coupons get serious; supermarkets use barcodes to prevent misredemptions", Chain Store Age Executive with Shopping Center Age, October 1992, Section: Vol. 68, No. 10, Pg. 68, ISSN: 0193-1199.	
	XX	"Winn-Dixie/The Salvation Army Report Contributions For War Against Hunger", PR Newswire, June 10, 1993, Section: Financial News.	
	YY	Goodstein, Ronald C., "UPC scanner pricing systems: Are they accurate?", Journal of Marketing, April 1994, Journal of Marketing, Vol. 58, No. 2, pp. 20-30, ISSN: 0022-2429, CODEN: JMKTAK.	
	ZZ	Jones, Jeanne, "Data Readers Streamline Management; Scanner Technology Aids Retailers As Well As Plants, Wholesalers", The Houston Post, June 26, 1994, Section: Business at Pg. D1.	
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	AAA	Fiorini, Phillip, "No Place For Penny?"/Smallest coin doesn't make cents to some", USA Today, July 29, 1994, Section: News at Pg. 1A.	
	BBB	Smith, Alison, "Survey of UK Consumer Credit and Asset Finance", Financial Times, November 3, 1994, Section: Pg. VI.	
	CCC	Andreoli, Tom et al., "Cash Machines Offer A Whole Lotto Money For Withdrawl...", Crain's Chicago Business, June 19, 1995, Section: News at Pg. 8.	
	DDD	"Spain: BBV launches new card", Cards International, June 22, 1995 at Pg. 5.	
	EEE	Knippenberg, Jim, "Will local radio empires strike back?", The Cincinnati Enquirer, July 23, 1995, Section: Tempo at Pg. F01.	
	FFF	Stankevich, Garbato, Debby, "Cook's Warehouse sets heavy-gauge nonstick.", HFN The Weekly Newspaper for the Home Furnishing Network, August 14, 1995, Section: Vol. 69, No. 33, pg. 46.	
	GGG	Silverman, Gene, "Planning and using infomercial campaigns effectively.", Direct Marketing, September 1995, Vol. 58, No. 5, pp. 32(3), ISSN: 0012-3188.	
	HHH	Brochure, "Cyber Bid", Net Fun Ltd., Copyright 1996.	
	III	Maras, Elliot, "Software opens doors to scientific machine menuing", Automatic Merchandiser, February 1996, Section: pg. 36, ISSN: 0002-7545.	
	JJJ	Koselka, Rita, "The new mantra: MVT", Forbes, March 11, 1996.	
	KKK	McKinney, Jeff, "Merchant program could pay off for Provident", The Cincinnati Enquirer, March 24, 1996, Section: Financial, pg. E02.	
	LLL	Raab, David M., "Package Aids Catalog Management", DM News, April 22, 1996, Section: Software Review, pg. 14.	
	MMM	Steinberg, Carol, "Rising stars: the hottest new franchise companies; nine companies profiled", Success, June 1996, Section: No. 5, Vol. 43, pg. 76, ISSN: 0745-2489.	
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	NNN	Johnson, Colin R., "Genetic program auto-designs analog circuits", Electronic Engineering Times, June 3, 1996.	
	OOO	Normile, Dennis, "Artificial life gets real as scientists meet in Japan. A-Life Meeting Briefs", Science, June 28, 1996, Section: Vol. 272, No. 5270, pg. 1872, ISSN: 0036-8075.	
	PPP	Hadley, Kimberly, "Pastors praying anti-arson effort will burn bias", The Nashville Banner, July 26, 1996, Section: News at Pg. A13.	
	QQQ	Gapper, John, "NatWest reports rise in bad debt", Financial Times, July 31, 1996, Section: News: UK; at Pg. 09.	
	RRR	Gilbert, Allan Z., "A call to action for wireless data communications", Automatic Merchandiser, August 1996, pp. 62-64.	
	SSS	Johnson, Colin R., "Genetic programming evolves", Electronic Engineering Times, August 5, 1996.	
	TTT	"LYNX TECHNOLOGY: Lynx to provide business leasing programme through Schroder Leasing", M2 Presswire, August 9, 1996.	
	UUU	Rodwin, Marc A., "Consumer protection and managed care: The need for organized consumers", Health Affairs, Fall 1996, Section: Vol. 15, No. 3, pp. 110-123, ISSN: 0278-2715, CODEN: FRBPBN.	
	VVV	Taylor, Paul, "Towards a dream market", Financial Times (London), September 4, 1996, Section: Survey - FT IT; at Pg. 03.	
	WWW	"Bigger Plans (Provident Bank, issuer of MeritValue customer loyalty card, plans to offer program in 25 cities in six months", Card Fax, October 7, 1996, Vol. 96, No. 178, pg. 2.	
	XXX	Fickenscher, Lisa, "Amex to Start Free Rewards Program with Discounts on Merchandise", The American Banker, October 18, 1996, Section: Credit/Debit/ATMs, pg. 10.	
	YYY	Fitzgerald, Kate, "Amex Program Moves Loyalty to Next Level: Custom Extras Finds a Medium Customers Can't Ignore: Billing Statements", Advertising Age, November 4, 1996, Section: News, pg. 2.	
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ZZZ	Bonnici, Joseph et al., "Consumer issues in coupon usage: An exploratory analysis", Journal of Applied Business Research, Winter 1996/1997, Section: Vol. 13, No. 1, pp. 31-40, ISSN: 0892-7626, CODEN: JPBEBK.		
AAAA	Rehayem, Gilbert, "Opinion: X-Press Betting", Information Systems & Technology, Ontario Lottery Corp., February 7, 1997.		
BBBB	Quittner, Jeremy, "Ohio's Provident brings its discount card to Fla.", American Banker, February 11, 1997, Vol. 162, Issue 28, pg. 11, 1/3p, ISSN: 0002-7561.		
CCCC	Symons, Allene, "Lucky, Sav-on Debut Rewards Card.", Drug Store News, February 17, 1997, Vol. 19, Issue 4, pg. 3, 2p, 1c, ISSN: 0191-7587.		
DDDD	Mckeveny, Alexander, "Giving them a good reason.", Bank Marketing, March 1997, Vol. 29, Issue 3, pg. 37, 4p, 4c, ISSN: 0888-3149.		
EEEE	Kennedy, Doug, "Train front desk staff in sales; hotel industry", Hotel & Motel Management, March 3, 1997, Section: No. 4, Vol. 212, pg. 15, ISSN: 0018-6082.		
FFFF	Singletary, Michelle, "Electronic World, Unchecked Problem? U.S. Move to Paperless Payments Raises Worries About Those Who Don't Use Banks", The Washington Post, March 4, 1997, Section: Financial at Pg. C01.		
GGGG	Kelsey, John and Schneier, Bruce, "Conditional Purchase Orders", Fourth ACM Conference on Computer Communication Security, April 1997, ACM Press, pp. 117-124.		
HHHH	"Dispensing the future", Electronic Payments International, May 1997, Section: Feature, pg. 12.		
IIII	"Avco Financial Services", National Home Furnishing Association, (http //www homefurnish comNHFA/avco htm), download date: May 23, 1997.		
JJJJ	Website, "Catalina Marketing Corporation", (http //catalinamktg com/prodcdir htm), download date: May 29, 1997.		
KKKK	"Industry Briefs", Card News, June 9, 1997, Vol. 12, No. 11.		
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	LLLL	Riordan, Teresa, "Patents; A novel approach to making a better spermicide harks back to some old-fashioned methods", The New York Times, June 9, 1997, Section D, Pg. 2, Column 1, Business/Financial Desk.	
	MMMM	Nairn, Geoff, "The key to your identity: Falling costs will allow fingerprint verification to be widely used, reports Geoff Nairn", Financial Times (London), July 15, 1997, Section: Technology; at Pg. 12.	
	NNNN	"The United Computer Exchange, How It All Works", (http //www uce com/howitworks html), download date: July 23, 1997.	
	OOOO	"Classified 2000: The Internet Classifieds", Classifieds2000, Inc., (http //www classifieds2000 com/cgi-cls/Display exe?C2K+aboutus), download date: August 6, 1997.	
	PPPP	"General trading information and terms provided by tradingfloor.com", (http //www tradingfloor com/info htm), download date: August 14, 1997.	
	QQQQ	"NASDAQ", Information Sheet, (http //home axford com/corfin/corfl 1 htm), download date: August 15, 1997.	
	RRRR	Prochaska-Cue, Kathy, "Acquiring Credit", (http //ianrwww unl edu/IANR/PUBS/NEBFACTS/NF91-2 HTM), download date: September 3, 1997.	
	SSSS	Website: "About IAO", (http www iaoauction com/about htm), download date: September 8, 1997.	
	TTTT	Hoeschen, Brad, "Brookfield Square hopes mall card strikes a chord", Business Journal-Milwaukee, September 12, 1997, Section: Vol. 14, No. 50, pg. 19.	
	UUUU	Website, "NCR 7452 Workstation", (http //www ncr com/products/retail/products/catalogs/7452 shtm), download date: September 23, 1997.	
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	VVVV	Niccolai, James, "Vending machines to stay stocked, thanks to SAP, Digital", Infoworld, October 27, 1997, Section: Internet & I-Commerce, pg. 84.	
	WWWW	Craig, Andrew, "SAP, Digital try to eliminate empty vending machines", InternetWeek, November 3, 1997, Section: Telepath, pg. T27, Information Services.	
	XXXX	Kirk, Jim, "Digital promotions make quick point", Chicago Tribune, December 26, 1997.	
	YYYY	Brochure: "NCR 7453 PC-Based Point-of-Sale Solution", NCR Corporation, Copyright 1998.	
	ZZZZ	"Progressive Introduces Kitchen Display System (KDS) For Restaurants", PR NewsWire, January 23, 1998, Section: Financial News.	
	AAAAA	"From Our Family to Yours...5 Weeks of Coupon Values for a Valuable Customer!", Wakefern Food Corporation, February 1998.	
	BBBBB	Hirschfeld, David, "Increasing Profits Through Automation", VendMaster, (http://www.vendmaster.com/news_main.html), download date: February 6, 1998.	
	CCCCC	Website: "Reports", VendMaster, (http://www.vendmaster.com/reports_main.html), download date: February 6, 1998.	
	DDDDD	Blair, Adam, "JICC Coupon Guide Recommends Upgrades At Front End", Supermarket News, February 9, 1998, Section: pg. 23, ISSN: 0039-5803.	
	EEEE	Livingston, Kimball, "In-Store systems", RT, March 1998, (www.retailtech.com), pp. 29-30.	
	FFFFF	Website: "Advanced Mechanics Internet Specials", (http://www.metroplexweb.com/advcpn2.htm), download date: March 12, 1998.	
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